# FOR THE DISTRICT OF MASSACHUSETTS UNITED STATES DISTRICT COURT

IN RE PHARMACEUTICAL INDUSTRY

AVERAGE WHOLESALE PRICE

LITIGATION

: MDL NO. 1456

: CIVIL ACTION: 01-CV-12257-PBS

THIS DOCUMENT RELATES TO ALL

ACTIONS

: X

#### ASSENTED-TO MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts (the "Local Rules"), Defendant AstraZeneca

Pharmaceuticals LP ("AstraZeneca") hereby moves this Court to grant Catheryn A.

O'Rourke leave to appear and practice in this Court <u>pro hac vice</u>. As grounds for this motion, AstraZeneca states as follows:

- Ms. O'Rourke is an attorney with the law firm of Davis Polk & Wardwell,
   450 Lexington Avenue, New York, New York 10017.
- 2. Ms. O'Rourke is not a member of the Massachusetts Bar or the Bar of the United States District Court for the District of Massachusetts.
- 3. Ms. O'Rourke has met the requirements to practice before the United States District for the District of Massachusetts, as set forth in Local Rule 83.5.3. See Certificate of Ms. O'Rourke, attached hereto as Exhibit A.

WHEREFORE, AstraZeneca respectfully requests that this Court grant this motion for Leave to Admit Ms. O'Rourke, <u>pro hac vice</u>.

Dated: April 4, 2006

Respectfully submitted,

By: /s/ Lucy Fowler

Nicholas C. Theodorou (BBO #495730) Lucy Fowler (BBO #647929) FOLEY, HOAG & ELIOT L.L.P. One Post Office Square Boston, Massachusetts 02109 (617) 832-1000 (Phone) (617) 832-7000 (Fax)

Attorneys for AstraZeneca Pharmaceuticals LP

### **CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for defendants conferred with counsel for plaintiff on this motion, and that counsel for plaintiff assented to the motion.

/s/ Lucy Fowler
Lucy Fowler

## **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on April 4, 2006, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Lucy Fowler
Lucy Fowler

#### CERTIFICATE OF CATHERYN A. O'ROURKE

- I, Catheryn A. O'Rourke, hereby certify as follows:
- 1. I am an associate of the firm of Davis Polk & Wardwell, which is located at 450 Lexington Avenue, New York, New York 10017.
- 2. I have been admitted to practice in the following jurisdictions in the years indicated:

State of New York (2000); State of New Jersey (2001); U.S. District Court for the Southern District of New York (2001); and U. S. District Court for the Eastern District of New York (2001)

- 3. I am an attorney in good standing in the above-referenced jurisdictions.
- 4. I have not been disbarred in any jurisdiction, and no disciplinary actions are pending against me.
- 5. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

Signed under the pains and penalties of perjury this 4th day of April, 2006.

By: /s/ Catheryn A. O'Rourke
Catheryn A. O'Rourke